

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

GLOBAL COMMUNICATIONS, INC.,)

)

Plaintiff,)

)

vs.)

Case No. 10-3145-CV-S-GAF

)

U.S. CELLULAR COMMUNICATIONS)

DISTRIBUTION COMPANY, LLC,)

)

Defendant.)

ORDER

This cause having come before the Court on Plaintiff Global Communications, Inc.’s (“Global”) Motion for Injunctive Relief, and the Court having conducted an evidentiary hearing thereon on May 18, 2010, including: (1) the parties’ stipulations of fact; (2) the testimony of Global’s witnesses Jonathan Bergman, Teressie Morgan, Michael Scism, and (via deposition) Kevin Whitehead; (3) the exhibits offered by Global; (4) the exhibits offered by Defendant USCC Distribution Co., LLC (“U.S. Cellular”); and (5) argument of counsel, the Court finds after the close of Global’s case as follows:

1. That Global has failed to meet its burden to establish a right to the injunctive relief that it seeks.
2. That Global failed to offer sufficient evidence that U.S. Cellular made any promise or representation that would have caused Global to rely upon that promise or representation to Global’s detriment.
3. That Global presented no evidence to challenge U.S. Cellular’s compliance with the Agent Agreement.

4. That while there is no allegation that U.S. Cellular breached the Agent Agreement, any such allegation could be remedied with monetary damages.
5. That if the Court was to grant the injunctive relief sought by Global that would be tantamount to the Court impermissibly rewriting the terms of the contract between the parties.

IT IS THEREFORE HEREBY ORDERED that Global's Motion for Injunctive Relief is DENIED.

s/ Gary A. Fenner
Gary A. Fenner, Judge
United States District Court

DATED: May 21, 2010